

INSURANCE LAW REVISION COMMISSION [3182]

BILL DRAFTING FILES, 1981-1985.

5.5 cu. ft. and 7 microfilm reels

DESCRIPTION: In March 1981 the Utah State Legislature created the Insurance Law Revision Commission (ILRC) to rewrite Utah's insurance laws in an effort to encourage the growth of the state's insurance industry. These files document the recodification of Title 31, Utah Insurance Code as conducted by the Insurance Law Revision Commission from May 1981 through February 1985. The bill files consist mostly of numerous evolving drafts of individual code chapters and sections written through two distinct drafting periods: May 1981 - March 1983 and May 1983 - February 1985. A variety of related documents (both typescript and manuscript) accompany the drafts including commission memos and correspondence, comments submitted by interested outside parties, miscellaneous notes and references, chapter and section datasheets, copies of pertinent statutory law and case law, small industry publications of topical interest, and lists of public and industry contacts. Several compiled drafts are also included. The commission worked closely with the Insurance Department and the Office of Legislative Research and General Counsel (OLRGC) during the entire process. The Insurance Code Task Force (ICTF) conducted an additional eight month review and amendment of the ILRC's final draft of the new code following its acceptance by the Legislature on February 25, 1985 as S.B. 232.

The March 25, 1983 compiled draft is included in box 5, folders 1-23. This draft includes extensive drafter's comments and was identified by Dane Leavitt (former staff of the ILRC and ICTF) as having "the most probative value to the research of legislative history." In his letter of transmittal to the Utah State Archives, Mr. Leavitt noted, "To the extent the resulting provisions were not substantially changed [by S.B. 232, 1985; or S.B. 91, 1986], the drafter's comments [on the above mentioned draft] will be potentially helpful in understanding the drafter's (if not the legislature's) intent." The second chapter of this draft is missing, but a later copy of the chapter (which includes later commentary) was inserted prior to the State Archives taking custody of the records.

An ILRC memorandum dated February 5, 1985 served as the "cover letter" to S.B. 232 and summarized changes in the law embodied in the recodification. Written by Dane Leavitt, the document was presented to the legislature by the chair of the ILRC, John F. Peircey. Dane Leavitt originally included this document with those records identified as the most useful for purposes of legislative intent research (see box 5, folder 52).

ARRANGEMENT: Initial arrangement proceeds chronologically by drafting period, then numerically by chapter-section number, thereunder chronologically by year, month, and day. Compiled drafts follow the bill files for their respective drafting period in chronological order. The series begins with the bill drafting files from the first drafting period for chapters then within the insurance title (31 ad 96), followed by the first compiled draft of March 25, 1983. Next come the bill files for the second drafting period (31A), followed by the drafting files for parallel chapters outside the insurance title; following these are various compiled drafts of the second drafting period and assorted records related to the passing of SB 232.

Within the individual bill drafting files, documents proceed in chronological order by year month and day. Documents which clearly accompany a primary dated document are filed immediately following the primary document they accompany. This means some spans of accompanying documents between primary documents will appear out of strict chronological sequence. Arrangement is chronological according to the primary dated documents. Undated documents which do not clearly accompany another primary dated document follow the chronological sequence within their respective folders in no specific arrangement.

RESEARCH NOTE: To help distinguish between the old code and the evolving drafts, the ILRC employed three different codification schemes: Title 31 5/81-6/82; Title 96 6/82-8/84; Title 31A 8/84-2/85. Title 31 (the original code) changed to Title 96 (a non-existent title identifying the new draft) midway through the first drafting period, culminating in the first compiled draft March 25, 1983. Title 96 changed to Title 31A (identifying revisions of the March 1983 draft) midway through the second drafting period, culminating in the 1984 compiled draft, and eventually to SB 232, 1985. Title numbers 31 and 96 are used interchangeably throughout much of the early ILRC bill files where chapter and section numbers remain fairly consistent. However, researchers should not assume continuity in chapter and section numbers between different title designations (especially 96 and 31A) as considerable rearrangement did occur. Search Series 25136, Minutes, 1981-1985 for references to revised chapter order.

RELATED RECORDS: INSURANCE LAW REVISION COMMISSION. MINUTES, 1981-1985, Series 25136, document the regular and special meetings and activities of the Insurance Law Revision Commission through its recodification of Title 31, Utah Insurance Code.

INSURANCE LAW REVISION COMMISSION. ADMINISTRATIVE RECORDS,

1981-1985, Series 25135, document the essential administrative and drafting functions of the Insurance Law Revision Commission as it recodified Title 31, Utah Insurance Code.

INSURANCE CODE TASK FORCE. MINUTES AND ADMINISTRATIVE RECORDS, 1985-1986, Series 25138, document the regular and special meetings and activities of the Insurance Code Task Force as it reviewed and amended the draft Title 31A, Utah Insurance Code (enacted by SB 232, 1985) before it became active June 1, 1986.

INSURANCE CODE TASK FORCE. BILL DRAFTING AND COMMENT FILES, 1985-1986, Series 25137, document the review and amendment of Title 31A, Utah Insurance Code by the Insurance Code Task Force as passed by the Legislature as SB 232, 1985.

UTAH. GOVERNOR (1977-1985 : MATHESON). BOARD AND COMMISSION APPOINTMENT RECORDS, 1969-1984, Series 219, contain resumes, applications, appointment notices, and correspondence pertaining to the governor's appointments to the Insurance Law Revision Commission.

CUSTODY HISTORY: As head staff of the ILRC and the ICTF, Dane Leavitt maintained the records through most of the recodification project. At the conclusion of the project in March 1986, the Insurance Department indicated their plan to discard the records. Recognizing their value, Mr. Leavitt took the records and stored them in the attic of his office building in Cedar City, Utah. Over the years continuing interest in the original intent of the new insurance code brought numerous attorneys and researchers to Cedar City to review the records. At Mr. Leavitt's bidding, the Utah State Archives agreed to take custody of the records in September 2002. Alice Cone and Arlene Schmuland, processing and reference archivists at the Utah State Archives, traveled to Cedar City in October 2002 and returned with seven cubic foot boxes and two banker's boxes.

PROCESSING NOTE: Rummaging by numerous researchers through the documents (over the 15 intervening years before transfer of custody to the Archives) left the records in a state of considerable disorder. Through archival processing the records have been returned to their original arrangement as far as was possible. Michael A. Church processed this series in the Spring and Summer of 2003. Prior to transferring the records, Dane Leavitt collected those with "the most probative value to the research of legislative history" into one box to facilitate such research. Identified as "Box 1" of the original nine boxes transferred, this box included the March 25, 1983 initial draft (with extensive drafter's comments), the minutes of the ILRC and ICTF respectively, and miscellaneous documents related to SB 232 and its passing. During processing, these documents were returned to their original placement in the records' initial arrangement and notes were included in the individual series inventories to direct researchers to their final location.

PREFERRED CITATION: Cite the Utah State Archives and Records Service, the creating

agency name, the series title, and the series number.

CONTAINER LIST

Reel	Box	Folder	Description
1	1	1	31-1
1	1	2	31-1
1	1	3	96-1
1	1	4	96-1
1	1	5	96-1
1	1	6	31-2
1	1	7	31-2
1	1	8	31-2
1	1	9	31-2
1	1	10	31-2
1	1	11	31-2
1	1	12	31-2
1	1	13	31-2
1	1	14	31-2
1	1	15	31-2
1	1	16	31-2
1	1	17	31-2
1	1	18	31-2
1	1	19	31-2
1	1	20	31-2
1	1	21	31-2
1	1	22	31-2
1	1	23	31-2-1
1	1	24	31-2-3
1	1	25	31-2-7
1	1	26	31-2-8
1	1	27	31-2-9
1	1	28	31-2-10
1	1	29	31-2-10.5
1	1	30	31-2-11
1	1	31	31-2-11.5
1	1	32	31-2-12
1	1	33	31-2-13
1	1	34	31-2-14
1	1	35	31-2-16
1	1	36	31-2-17
1	1	37	31-2-17.5
1	1	38	31-2-18
1	1	39	31-2-19
1	1	40	31-2-21
1	1	41	31-2-22
1	1	42	31-2-24
1	1	43	31-2-25

Reel	Box	Folder	Description
1	1	44	31-2-26
1	1	45	31-2-27
1	1	46	31-2-27.5
1	1	47	31-2-28
1	1	48	31-2-29
1	1	49	31-2-30
1	1	50	31-2-31
1	1	51	31-2-32
1	1	52	31-2-33
1	1	53	31-2-34
1	1	54	31-2-36
1	1	55	31-2-37
1	1	56	31-2-38
1	1	57	31-2-39
1	1	58	31-2-40
1	1	59	31-2-41
1	1	60	31-2-42
1	1	61	31-2-42.5
1	1	62	31-2-43
1	1	63	31-2-44
1	1	64	31-2-45
1	2	1	96-2
2	2	2	96-2
2	2	3	96-2
2	2	4	96-2
2	2	5	96-2
2	2	6	96-2
2	2	7	96-3
2	2	8	96-5
2	2	9	31-10
2	2	10	96-10
2	2	11	96-10
2	2	12	31-11
2	2	13	31-11
2	2	14	31-11
2	2	15	31-11
2	2	16	31-11
2	2	17	31-11
2	2	18	31-11
2	2	19	31-11
2	2	20	31-11 [reference checking]
2	2	21	96-11
2	2	22	96-11
2	2	23	96-11
2	2	24	31-13
2	2	25	31-13
2	2	26	31-13
2	2	27	31-13

Reel	Box	Folder	Description
2	2	28	31-13
2	2	29	31-13
2	2	30	31-13
2	2	31	31-14
2	2	32	31-14
2	2	33	31-14
2	2	34	31-14
2	2	35	31-15
2	2	36	31-15
2	2	37	31-15
2	2	38	96-16
2	2	39	96-16
3	2	40	96-16
3	2	41	96-17
3	2	42	96-17
3	3	1	31-18
3	3	2	31-18
3	3	3	31-18
3	3	4	31-18
3	3	5	31-18
3	3	6	31-18
3	3	7	96-18
3	3	8	96-19
3	3	9	96-20
3	3	10	96-23
3	3	12	96-23
3	3	13	96-23
3	3	15	31-25
3	3	16	31-25
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3	3	19	96-25
3	3	20	96-27
3	3	21	31-28
3	3	22	31-28
3	3	23	31-28
3	3	24	96-28
3	3	25	96-28
3	3	26	96-28
3	3	27	96-28
3	3	28	96-28
3	3	29	96-28
3	3	30	96-28
3	3	31	96-28
4	3	32	96-28
4	3	33	96-28
4	3	34	96-28
4	3	35	96-28

Reel	Box	Folder	Description
4	3	36	96-28
4	3	37	96-28
4	3	38	96-28
4	3	39	96-28
4	3	40	96-28
4	3	41	96-28
4	3	42	96-28
4	4	1	96-30
4	4	2	96-31
4	4	3	31-32
4	4	4	31-32
4	4	5	31-32
4	4	6	31-32
4	4	7	31-32
4	4	8	96-36
4	4	9	96-36
4	4	10	96-36
4	4	11	96-36
4	4	12	96-36
4	4	13	96-36
4	4	14	96-42
4	4	15	31-45
4	4	16	31-45
4	4	17	31-45
4	4	18	31-45
4	4	19	31-45
4	4	20	31-45
4	4	21	31-45
4	4	22	96-45
4	4	23	96-45
4	4	24	96-45
4	4	25	96-45
4	4	26	96-45
5	4	27	96-45
5	4	28	96-45
5	4	29	96-46
5	4	30	96-46
5	4	31	96-46
5	4	32	96-46
5	4	33	96-46
5	4	34	96-46
5	4	35	96-46
5	4	36	96-46
5	4	37	96-46
5	4	38	96-46
5	5	1	96-1 (A) [folders 1-23 comprise the 1983, 25 March compiled draft]

Reel	Box	Folder	Description
5	5	2	96-1;96-2;96-3 (B)
5	5	3	96-10 (C)
5	5	4	96-11 (D)
5	5	5	96-11 (D), continued
5	5	6	96-12; 96-13 (E)
5	5	7	96-14 (F)
5	5	8	96-15 (G)
5	5	9	96-17 (H)
5	5	10	96-18 (IJ)
5	5	11	96-19 (K)
5	5	12	96-20 (L)
5	5	13	96-23 (M)
5	5	14	96-25; 96-27 (N)
5	5	15	96-28 (O)
5	5	16	96-28; 96-29 (PQ)
5	5	17	96-28; 96-29 (PQ), continued
5	5	18	96-31 (R)
5	5	19	96-32 (S)
5	5	20	96-32 (S), continued
5	5	21	96-36 (T)
5	5	22	96-45 (UV)
5	5	23	96-45 (UV), continued
5	5	24	31A-2
5	5	25	31A-3
5	5	26	31A-9
5	5	27	31A-12
5	5	28	31A-16
5	5	29	31A-17
5	5	30	31A-18
5	5	31	31A-19
5	5	32	31A-20
5	5	33	31A-21
5	5	34	31A-23
5	5	35	31A-26
5	5	36	31A-27
5	5	37	31A-28
5	5	38	35-3
5	5	39	41-12
6	5	40	41-12
6	5	41	1984, 12 Oct compiled draft
6	5	42	1984, 12 Oct compiled draft
6	5	43	1984, 12 Oct compiled draft
6	5	44	1984, 12 Oct compiled draft
6	5	45	1984, 12 Oct compiled draft
6	5	46	1984, 12 Oct compiled draft
6	5	47	1984, 12 Oct compiled draft
6	5	48	1984, 12 Oct compiled draft
6	5	49	Bill forms for SB 232

Reel	Box	Folder	Description
6	5	50	Bill forms for SB 232
6	5	51	SB 232 correspondence and related records
6	5	52	Cover letter to SB 232
6	6	1	1985, 25 Jan compiled draft of SB 232 in bill form
6	6	2	1985, 25 Jan compiled draft of SB 232 in bill form
6	6	3	1985, 25 Jan compiled draft of SB 232 in bill form
6	6	4	1985, 25 Jan compiled draft of SB 232 in bill form
6	6	5	1985, 25 Jan compiled draft of SB 232 in bill form
7	6	6	1985, 25 Jan compiled draft of SB 232 in bill form
7	6	7	1985, 25 Jan compiled draft of SB 232 in bill form
7	6	8	1985, 25 Jan compiled draft of SB 232 in bill form
7	6	9	1985 final compiled draft
7	6	10	1985 final compiled draft
7	6	11	Title-chapter-section conversion charts